Remarks

Claims 1-27 are pending and rejected. The specification and claims 1-27 are objected to. Claims 9, 19, and 24 are cancelled by this amendment. Claims 1, 5, 12, 22, and 27 are amended by this amendment. Applicants respectfully request allowance of claims 1-8, 10-18, and 20-27.

The specification was objected to for a defective declaration. The office action asserts that the declaration inadequately identified the specification because the application number and filing date were not identified. This assertion is incorrect in cases where the declaration is filed with the application. In this case, the declaration may identify the application by name of inventors and a reference to an attached specification, or by name of inventors and the title of specification (See MPEP 602). The present declaration identifies the application by name of inventors, a reference to the attached specification, and the title of the specification. The objection can be withdrawn.

Claims 1-27 are objected to because the term "CLAIMS: We Claim:" does not commence on a separate sheet. The pertinent MPEP 608.01(m) requirements are that: 1) the claims commence on a separate sheet after the detailed description, and 2) the claims be the object of a sentence such as "we claim". There is no requirement that the "We claim" sentence commence on a separate sheet. In the present specification, the claims commence on a separate sheet (page 9) which follows the detailed description, and the claims are the object of a "We claim" sentence at the end of page 8. The objection can be withdrawn.

Claims 1-27 stand rejected under 35 U.S.C. §103(a) over U.S. Patent 9,548,061 (Merriman) in view of U.S. Patent 6,357,042 (Srinivasan). Independent claims 1, 12, and 22 have been amended to distinguish both Merriman and Srinivasan. Claims 1, 12, and 22 require that video advertising for video-on-demand system be selected to have a subject matter relation to the selected video content that was requested by the target viewer. The office action cites Merriman for teaching how to select video advertising. In Merriman, the video advertising is selected based on many parameters, but not based on a subject matter relation to the selected video content. (See Merriman, column 5, line 64 to column 6, line 59, and claims 2-4). Claims 1, 12, and 22 also require the disabling of fast-forward capability when the selected video advertising is displayed. The office

action cites Srinivasan as teaching fast-forward functionality. Importantly, Srinivasan is referring to the editor tool that is used when synchronizing metadata with an object in the video content, and not to the user display that displays the video advertising. Certainly, Srinivasan does not teach the disabling of fast-forward functionality when the selected video advertising is displayed. Applicants object to the use of Official Notice in this case. Official Notice is reserved for facts that are capable of instant and unquestionable demonstration of being well-known in the art, and if the applicant requests, then the examiner should cite a reference in support of their position. (See MPEP 2144.03). Applicants request such a reference if the rejection is maintained.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 1-8, 10-18, and 20-27.

SIGNATURE OF PRACTITIONER

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Marked-up Version of Amended Claims

1. (amended) A method for providing video advertising where a video-on-demand system receives a request from a target viewer for selected video content, and in response, transfers the selected video content in a video stream to the target viewer, the method comprising:

selecting [the] video advertising that has a subject matter relation to [based on a viewer profile for the target viewer and] the selected video content requested by the target viewer; [and]

inserting the selected video advertising into the video stream that transfers the selected video content to the target viewer; and

disabling fast-forward capability when the selected video advertising is displayed.

5. (amended) The method of claim 1 further comprising [wherein] selecting the selected video advertising based on a [the] viewer profile for the target viewer [comprises using an identity of the target viewer].

12. (amended) A video advertising insertion system where a video-on-demand system receives a request from a target viewer for selected video content, and in response, transfers the selected video content in a video stream to the target viewer, the video advertising insertion system comprising:

a processing system configured to select video advertising that has a subject matter relation to [based on a viewer profile of the target viewer and] the selected video content requested by the target viewer and to disable fast-forward capability when the selected video advertising is displayed; and

an interface configured to insert the selected video advertising into the video stream that transfers the selected video content to the target viewer.

22. (amended) A product comprising a processor-readable storage medium storing processor-executable instructions for performing the following method for providing video advertising where a video-on-demand system receives a request from a target

viewer for selected video content, and in response, transfers the selected video content in a video stream to the target viewer, the method comprising:

selecting video advertising that has a subject matter relation to [based on a viewer profile for the target viewer and] the selected video content requested by the target viewer; [and]

directing an interface to insert the selected video advertising into the video stream that transfers the selected video content to the target viewer; and

disabling fast-forward capability when the selected video advertising is displayed.

27. (amended) The product of claim 22 further comprising [wherein] selecting the selected video advertising based on a [the] viewer profile for the target viewer [comprises using an identity of the target viewer].